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IN RE THE MEETING OF THE)
WATER RESOURCES PUBLIC WORKSHOP)
_____)

ORIGINAL

LOS BANOS, CALIFORNIA

-oOo-

Monday, September 13, 1999

-oOo-

TRANSCRIPT OF PROCEEDINGS

The following proceedings were taken in the
above-entitled matter on September 13, 1999 commencing
at the hour of 7:00 p.m. at the Germino Building, Merced
County Spring Fair, 403 F Street, Los Banos, California
before Dana L. Belloli, C.S.R., a Certified Shorthand
Reporter of the State of California, having offices
located in Turlock, California.

Reported by: Dana L. Belloli
RMR/CRR/CSR #7186

PORTOLA & ASSOCIATES

C - 0 2 2 3 3 3

C-022333

1 APPEARANCES:

2
3 Joe Bodovitz, Chairman

4 Lester Snow, Department of Water Resources

5 Luana Kiger, National Resources Conservation Service

6 A.J. Yates, Department of Food and Agriculture for
7 the State of California

8 Alf Brandt, U.S. Department of the Interior

9
10 Also Present:

11 Members of the public
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1 The following proceedings were had, to wit:

2

3 MR. BODOVITZ: My name is Joe Bodovitz
4 and I will be conducting tonight's hearing. Although I
5 work with CALFED, I am not a part of it. I have a small
6 nonprofit organization that works throughout California
7 to help people find as much agreement as we've found on
8 the kinds of issues we'll be dealing with tonight.
9 We're called the California Environmental Trust. My own
10 background is former Executive Director of the State
11 Coastal Commission and later Executive Director of the
12 State Public Utilities Commission, so I've been asked to
13 conduct the hearings statewide. This is one of 16, and
14 my purpose is to help insure that we have an independent
15 and complete hearing.

16 In a moment I will explain quickly the ground
17 rules for the hearing tonight, but the key thing is if
18 you wish to speak and haven't already signed one of
19 these yellow cards on the table in the back, please do
20 so. We'll take the speakers in the order in which the
21 cards were signed, believing that's about as fair a way
22 as we can proceed.

23 Now, before going into the ground rules for
24 tonight, let me introduce the other CALFED people who
25 are up here at the table awaiting your comments. You've

1 met Lester and Rick Bright. We've got Luana Kiger of
2 the National Resources Conservation Service. A.J. Yates
3 of the Department of Food and Agriculture for the State
4 of California, Alf Brandt from the U.S. Department of
5 the Interior. And I think there's at least one member
6 of the Bay Area Advisory Committee. Mike Stern, are you
7 here? Thank you for coming.

8 Well, quickly then as to how the hearings are
9 conducted all over the state. You may, as is explained
10 on one of your leaflets at the table in the back, submit
11 comments of any length in writing on the CALFED
12 environmental documents, and the table in the back has a
13 leaflet that explains how to go about doing that, where
14 to send them, and what the deadlines are. But in
15 tonight's hearing as in all the others, the oral
16 statements will be limited to three minutes so that we
17 can hear from as many people as possible and get
18 everybody out before it gets to be too late. To help
19 you determine how you're doing on your three minutes, we
20 have a little miniature traffic light here. When you
21 begin, the green light will be on and that means you
22 have three minutes; when the yellow light goes on, it
23 means you have one minute; and when the red light goes
24 on, we ask that you conclude the sentence you're in the
25 middle of so that we can hear from other people. I hope

Page 5

Page 7

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2 the National Resources Conservation Service. A.J. Yates
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22 have three minutes; when the yellow light goes on, it
23 means you have one minute; and when the red light goes
24 on, we ask that you conclude the sentence you're in the
25 middle of so that we can hear from other people. I hope

1 drainage water if you have the surface reservoir storage
2 that will retain the solids by way of sediments, then
3 you can dilute the dissolved solids and the suspended
4 solids. In conjunction with that, the Grasslands
5 Bypass, there's another one where you can have
6 applicable water for blending in with the Bypass that
7 will be acceptable to bring back ecosystem in the San
8 Joaquin River between the Sac damn and Newman. Surface
9 water storage south of the Delta, far enough south of
10 the Delta can accomplish these things.

11 Water banking doesn't seem to be applicable.
12 Water transfers in the area have been problematic in the
13 past and may be problematic in the future. Land size,
14 water quality in rural communities, water quality for
15 agricultural use. I think what we need to look at is an
16 abundance of water that would be benefited to serve
17 multi-use, multi-benefit, not only for agriculture but
18 for ecosystem, bring back the salmon to the San Joaquin
19 River. And in conjunction with that, reservoir lake
20 storage that would bring cold water for the winter run
21 salmon in the San Joaquin River. Bring back the water
22 between Gravity Pool and the Mendota Pool. Put some
23 more water between the Sac Dam and Newman for ecosystem
24 and restoration and things of that nature. We have to
25 look at multi-benefits; not just on our own local area,

Page 6

Page 8

1 the light helps you. You will be standing right there,
2 the light will be right there (indicating).
3 One other thing that helps in the hearings, we
4 have a lot of people here tonight and I will call three
5 speakers at a time, so if you happen to be sitting in
6 the middle of a row in the back, it will help us make
7 good use of our time if when you hear your name called,
8 you will move out of the row and we'll try to save these
9 chairs down in front so we won't lose a lot of time with
10 people shoveling through the aisles when it's their turn
11 to speak. So unless there are any questions about
12 procedure, we'll begin.

13 The first card is Ed Petry, the second one is Mike
14 Wade, and the third is Nettie Drake. So Mr. Petry, you
15 get the first word tonight.

16 MR. PETRY: I'm Ed Petry from the City of
17 Mendota and I would like to talk about water supply
18 reliability.

19 We talk about water supply reliability and surface
20 water storage in the Delta, south of the Delta, and
21 north of the Delta. Surface water storage south of the
22 Delta -- far enough south of the Delta can have many
23 benefits. Water supply reliability, sedimentation
24 control, it can have -- be consistent with restoration,
25 you can have flood control. You can drain the San Luis

1 but throughout the state.

2 Now, in conjunction with that, you can leave
3 800,000 acre foot in the Sacramento Delta for the sea
4 intrusion, for wildlife, for fish, for the ecosystem in
5 the Delta. That should make the people in the
6 Sacramento Delta happy. There will be water by way of
7 the California Aqueduct for Southern California. If you
8 were irrigating with the waters for agriculture out of
9 Panoche/Silver Creek, they could hold up to three
10 million acre foot. What we need to do is satisfy
11 throughout the state. We could take the flood flows
12 from the east side that are coming out of Millerton
13 Lake, store them on the west side. We have 80 percent
14 of the conveyance channels already in place. Thank you,
15 appreciate your time.

16 MR. BODOVITZ: Thank you, Mr. Petry.
17 Mike Wade, Nettie Drake, and then Red Martin.

18 MR. WADE: Thank you. Mike Wade,
19 California Farm Water Coalition.

20 It's been interesting to listen to testimony in
21 previous CALFED hearings where people outside of the
22 agriculture industry criticize farm practices they know
23 nothing about. I've heard people say that the solution
24 to California's water supply problem is to eliminate
25 efficient or water intensive crops like cotton, and

Page 9

1 stretch supplies of water that are currently used to
2 grow them.
3 Let me talk for a minute about cotton. California
4 cotton is valued as some of the best in the world.
5 Buyers routinely pay a premium price for it because of
6 its superior dependable quality and it's desirability
7 for fine fabrics, table linens, and dress shirts.
8 California provides the long growing season cotton
9 requires, making it a viable crop from the Imperial
10 Valley to Sacramento.

11 In the Westlands Water District, cotton uses
12 approximately two and a half acre feet of water per acre
13 per year, a figure that is equal to some crops, less
14 than some others, but certainly not wasteful by any
15 reasonable standard. The other thing people criticize
16 agriculture for is the use of what they deem subsidized
17 water. The Central Valley Project, often the target of
18 this criticism, was really an investment in
19 infrastructure designed to maximize California's
20 agricultural potential. Farmers are paying back the
21 cost of the project, the taxpayers relieving them of the
22 interest. That's the so-called subsidy, and farmers pay
23 taxes, too.

24 Has it been a good deal? Well, the Central Valley
25 Project has supplied water to farms that have produced

Page 10

1 crops cumulatively valued in excess of 55 billion
2 dollars. This figure places the CVP as the number one
3 federal water project in the nation in terms of value
4 produced.

5 The price farmers pay for water in Westlands Water
6 District, just one CVP contractor, includes repayment of
7 the loan principal, irrigation district operations and
8 maintenance, CVP rates, and a \$6.98 surcharge for an
9 environmental restoration fund that has been in effect
10 since 1993. A lot is also said about farmers' water use
11 efficiency. In Westlands, for example, farmers have
12 averaged 83 percent in irrigation efficiency for the
13 past 20 years.

14 The Central Valley Project, designed with the
15 agriculture industry in mind, has paid high dividends
16 throughout California's economy for better than 40
17 years, and let's not forget that it took public approval
18 to build these projects in the first place.

19 CALFED's land retirement program is viewed by
20 other stake holders as an opportunity to eliminate
21 certain crops they feel have contributed to California's
22 water crisis. The land retirement program must include
23 proper CEQA review at the time farmland is being
24 considered for purchase by CALFED even if the situation
25 is willing buyer/willing seller. The economic benefits

Page 11

1 paid by crops such as cotton mean thousands of jobs and
2 economic stability while using resources wisely.
3 Targeting individual crops without the benefit of logic
4 and using CALFED's land retirement program as a means to
5 take them out of production doesn't make sense. This is
6 not getting better together. Thank you.

7 MR. BODOVITZ: Nettie Drake, Red Martin,
8 Paul Wenger.

9 MS. DRAKE: Nettie Drake, Panoche/Silver
10 Creek Watershed, Coordinated Resource Management
11 Coordinator.

12 I have been involved with the CALFED watershed
13 work group program since its inception almost two years
14 ago, and I thought it was important to bring forth some
15 of the lack of attention the watershed program and the
16 watershed concept for management has -- that has not
17 taken place in the CALFED arena.

18 One of the first things that I wanted to make a
19 point was that there's been a tremendous effort by local
20 watershed groups around the state of California to
21 develop this plan. It has taken a comprehensive look at
22 all of the other common programs and put together a plan
23 that provides flexibility, adjustments, and adaptive
24 management to anywhere in the State of California within
25 the watershed for CALFED. The concern is that very few

Page 12

1 other common programs have taken into account the
2 watershed component into their plan. It has been either
3 not read or intentionally not understood when making
4 funding selections for funding of projects, when
5 incorporation into the water quality, the ERP, or any
6 other program. It's been a very frustrating experience,
7 yet we constantly hear CALFED officials say, "Oh, great,
8 local watershed work groups. Keep 'em up, keep 'em up."

9 The other major concern from the local watershed
10 perspective is the intense lack of communication between
11 the common programs, the BDAC program, the
12 decision-makers, the powers that be, and the people out
13 here on the ground trying to get the work done that you
14 guys are talking about implementing. The lack of
15 communication has only further enraged the local
16 landowners, the local watershed folks, from wanting to
17 engage in this process. If you do not have local
18 landowners, if you do not have local watershed groups,
19 what you're talking about isn't going to happen.

20 And the other thing is -- a cohort of mine said,
21 as the decline increases, the restoration and
22 improvement of the California Bay Delta issues will
23 decrease and no one will get better together. The
24 selection that took place in the funding proposals this
25 last round were atrocious. Out of 124 applications, one

Page 13

1 was funded? That's not a dedication to the watershed
2 component. If you want to talk water quality, you want
3 to talk ERP clean-up, you've got to consider the
4 watershed management component to any of these because
5 it is the source of the water. It's where the water has
6 the potential to be -- the quality to be decreased or
7 maintain its purity. You have to consider the watershed
8 component when any of these plans are implemented or
9 it's not worth your time. Thank you.

10 MR. BODOVITZ: Thank you. Red Martin,
11 Paul Wenger, Dan Nelson.

12 MR. MARTIN: My name is Red Martin, I am
13 the manager of the Westlands Resource Conservation
14 District. I've already turned in a paper, so I'll just
15 hit a few highlights.

16 The Westlands Resource Conservation District
17 covers 1.1 million acres in western Fresno and Kings
18 County. About 600,000 acres of that is irrigated and
19 the rest is rangeland watershed on the Coast Range to
20 the west. The District is involved in a large number of
21 conservation programs, but the big one -- one of the big
22 concerns and the one I wanted to just highlight tonight
23 is the need for a firm, affordable, and adequate water
24 supply. With that, and some drainage and sump work
25 needed, this District is capable of producing some 40

Page 14

1 different crops and about one-third of the total
2 agriculture production in Fresno County. The directors
3 believe strongly that there is more need for surface
4 reservoirs south of the Delta. Trying to depend solely
5 on what they have now and pumping is not realistic.
6 It's already an overdrafted aquifer, so they need a more
7 steady surface water supply.

8 The growers in the District are practicing right
9 now the most up-to-date irrigation water management
10 practices. It's a very, very good water conservation
11 program from Westlands Water District -- in the District
12 available to the growers. So we would like to see --
13 the growers would like to see more on off storage
14 surface reservoirs in the CALFED program. Thank you.

15 MR. BODOVITZ: Thank you, Mr. Martin.
16 Paul Wenger, Dan Nelson, Mike Stearns.

17 MR. WENGER: Good evening. My name is
18 Paul Wenger, I am a farmer from Modesto and the second
19 vice president of California Farm Bureau Federation.

20 It was appropriate for CALFED to add a hearing in
21 the Western San Joaquin Valley. No region of this state
22 understands the potential outcome of CALFED's actions
23 better than the west side. Farmers here have had their
24 water supplies reduced by 30 percent after five straight
25 wet years, and they nearly saw supplies cut further

Page 15

1 because the Delta smelt lingered near the water project
2 pumps during June. With all this uncertainty after a
3 series of wet years, we can only shudder at the thought
4 of what will happen after our next series of dry years.

5 The chronic water shortages this region faces
6 demonstrate clearly why CALFED needs to push quickly and
7 aggressively for new water storage in California.
8 There's a perception among some people that farmers have
9 been calling for new water storage because farmers want
10 more water for themselves. That's clearly not the case.
11 Demand for irrigation water has been stable for many
12 years. In fact, farmers use less water today than they
13 did 30 years ago, while producing 67 percent more crops
14 and tonnage. Most new demand for water in California
15 comes from our growing cities and from flow requirements
16 mandated by environmental laws. But farmers also
17 understand that unless more water is added through new
18 supplies, those growing demands will be met by taking
19 water away from agriculture.

20 Those of us who farm in other parts of the state
21 understand that west side farmers are the canaries in
22 the mine shaft. The chronic shortages that are
23 happening here will spread to other parts of the state
24 unless CALFED pushes for additional supplies. CALFED
25 should not sacrifice this region or any other to meet

Page 16

1 water needs in a different part of the state. CALFED
2 should not sacrifice farmers and farm workers or any
3 other people to meet the needs of fish and wildlife.
4 Taking water and land away from farms will hurt people
5 throughout California. Rural communities such as
6 Mendota, Firebaugh, Huron and others know from hard
7 experience how economic problems on farms ripple through
8 businesses, schools, and other local services. And many
9 jobs in big cities also depend on moving, processing,
10 and marketing farm goods.

11 CALFED must return to its basic mission. It must
12 produce a balanced plan that meets the needs of fish and
13 wildlife and provides for the people of California. It
14 must minimize its impacts on productive farmland, and
15 aggressively pursue new water storage so that we truly
16 can all get well together. Thank you.

17 MR. BODOVITZ: Thank you, Mr. Wenger.
18 Dan Nelson, Mike Stearns, and the next one, I do my best
19 to read handwriting but this one is Jean it looks like
20 S-a-g-o -- Sagoupe, okay. Thank you. Mr. Nelson.

21 MR. NELSON: Good evening. My name is
22 Dan Nelson, I am the Executive Director of the San Luis
23 and Delta Mendota Water Authority. The Water Authority
24 is a Joint Powers Authority that's made up of 32 member
25 districts. The bond between all these districts is that

Page 17

Page 19

1 they're all federal contracting districts that take
2 their water through the Central Valley Project Tracy
3 Pumping Plant, and generally the location of these
4 districts are from Tracy to the north down to Kettleman
5 City to the south on the west side of the San Joaquin
6 Valley, over a million acres of some of the best
7 farmland that you will find in the world; and we also
8 cross over into San Benito and Santa Clara Counties and
9 serve them through the San Felipe unit as well.

10 It is very appropriate that you have a hearing
11 here in Los Banos, and we do thank you very much for
12 scheduling this hearing. As Paul said earlier, no one
13 has experienced more impact over the last decade of
14 changed water policy and water management in the state.
15 It's broadly acknowledged that this area has been
16 impacted the most severe and also disproportionately
17 impacted in the context of how it is that we've been
18 dealing with the rest of the state.

19 We have a number of our board members here tonight
20 that are going to speak on very specific issues, and I'd
21 like to give you just a general overview of our reaction
22 to the EIS, and the bottom line of that is that we
23 are tremendously disappointed. There are some positives
24 such as the development of a water account and in cities
25 based deficiency programs, et cetera, but the lack of

1 MR. BODOVITZ: Mr. Nelson, I'm sorry.
2 You're doing great, but the three minutes go quickly.
3 MR. NELSON: This supplements some fairly
4 thorough written comments, and we thank you for the
5 opportunity.
6 MR. BODOVITZ: Thank you, sir. Mike
7 Stearns, Jean Sagouspe, Marvin Meyers.
8 MR. STEARNS: Good evening, and I repeat,
9 thank you for holding a hearing in Los Banos. I'm Mike
10 Stearns, I serve as the current President of the San
11 Luis Delta Mendota Water Authority and I manage the
12 Hammond's Ranch established back in the 1920s which is
13 located in the Panoche and the Firebaugh Water
14 Districts. We grow tomatoes, garlic, onions, asparagus,
15 cotton, grapes, almonds and melons and almost all these
16 crops now requires sprinkler irrigation or drip
17 irrigation which required us to take on additional
18 long-term debt to finance their use. We employ about 60
19 permanent employees and 150 seasonal employees, and most
20 of these people live throughout the Dos Palos,
21 Firebaugh, and Mendota area. My perspective is both
22 from an ag service contractor who is struggling to
23 survive with the reduced water supplies and as an
24 exchange contractor who has had to nearly cut off
25 historical drainage discharges and can now be hit with

Page 18

Page 20

1 focus and attention on real water supply gains in the
2 short-term as well as the long-term is alarming,
3 especially in the context of what it is that our folks
4 are experiencing right now. We don't have several years
5 to wait for an increased supply or with opportunities to
6 be able to firm up our supplies. We need some relief
7 immediately. We're banking on -- that CALFED is the
8 proper forum for us to be able to actually get better,
9 and we're banking on the notion that that's CALFED's
10 intent as well.

11 Some specific comments that I would like to
12 present, and these are mostly focused on the stage one
13 of things that absolutely need to be done in the next
14 several years. First of all, we do support and we do
15 need to establish a water account that will create
16 additional water and share it between the water users
17 and the environment in a practical and reasonable way.
18 We need to implement the South Delta Program
19 immediately. Lester, you showed the importance of that
20 earlier on and we definitely support the development of
21 the South Delta Program with the expanded pumping of
22 banks to ten three as soon as we possibly can. We have
23 to make a commitment before the record of decision
24 regarding how much new surface and ground water storage
25 capacity is needed and bring both on line.

1 shortages due to the current B-2 policy and the Trinity
2 issues, and that even could have a further rippling
3 effect on our ground water use as well as our
4 neighboring Friant water users.
5 When we signed the accord nearly five years ago,
6 we thought we were giving up about 30 percent of our
7 supply temporarily in order to buy time to develop and
8 implement a longterm solution -- and if I might take a
9 second, I would like to read in the record comments at
10 that time that were made by our President, Bill Clinton.
11 "Under the leadership of Secretary Babbitt and
12 Administrator Browner, the federal government
13 aggressively faced up to its responsibilities and took a
14 process that it had previously failed and made it work.
15 We made certain all the federal agencies worked together
16 and not at cross purposes, and we challenged our
17 scientists to create new ways of using water more
18 efficiently." Something similar came from Vice
19 President Al Gore in a letter to Congressman Dooley. We
20 believe in the CALFED process and we thought it would
21 provide the restoration of the Bay Delta as well as
22 restoring our water in a reasonable amount of time. We
23 looked at this program as is depicted in EIS and do not
24 see much hope for this area. We have to have numbers.
25 Our businesses are financed based on a direct water

Page 21

1 supply, and we see that the real need is in the
2 short-term. Stage 1 needs to be specific goals
3 established for the amount of water that's expected to
4 be recovered that we've lost through CVPIA and the ESA
5 issues.

6 I will provide the rest of my further comments in
7 writing, but I would like to add that one of the things
8 that's really happened here that's been a local success
9 has been the Grassland Basin Drainage Program. If
10 there's ever been an opportunity for local folks to
11 prove what they could do when they've had the
12 opportunity, it would have only happened by local
13 control, not through some governmental agency dictating
14 how it ought to be done.

15 MR. BODOVITZ: Thank you, Mr. Stearns.
16 Jean Sagouspe, Marvin Meyers, Bill Harrison.

17 MR. SAGOUSPE: For the record, it's
18 Sagouspe.

19 MR. BODOVITZ: Sagouspe, thank you.

20 MR. SAGOUSPE: Thank you. My name is
21 Jean Sagouspe, farmer, just about broke farmer, and
22 President of the San Luis Water District, Director of
23 the San Luis Delta Mendota Water Authority. I would
24 like to just make a comment about the discussions about
25 partnerships. Well, our last partnership with the

Page 22

1 federal government and state agencies was the accord,
2 and that partnership resulted in us giving up water and
3 getting no reliability in exchange. So the comments
4 from the President and the Secretary of Interior you can
5 forget because that didn't happen.

6 What I would like to do is go over some charts
7 that will show reliability. The first chart I had
8 developed -- because we get such cheap water, I would
9 like to show the increase in our water prices in
10 San Luis Water District. From 1977 through 1999 our
11 water costs have gone up almost 300 percent. We're now
12 paying \$68. The bulk of that has been in the federal --
13 that's the lower chart, Lester. The bulk of that is
14 from the federal government.

15 The second chart is our reliability that we were
16 supposed to get through the CALFED or the accord
17 process, and that's the chart to the left. From 1977
18 through the year 2000 our average reliability went from
19 92 percent to projected reliability after whatever we
20 lose on Trinity to 53 percent. So this 30 percent loss
21 that we have is bogus besides. We've lost almost half
22 of our water supply south of the Delta.

23 Now the really scary chart, if you want to look at
24 it, and this is not pie in the sky but it's the third
25 chart shows with the conditions that we have to live

Page 23

1 under now, had those been in place during the seven year
2 dry cycle, the red indicates the water supply that we
3 would have gotten during those seven years of drought.
4 The best supply we would have gotten was the first year
5 which is 32 percent. We had two years of zero and
6 basically an 8, 9 and 10 percent supply is zero supply
7 for us out here. The fact of the matter is, those are
8 incontrovertible, those are actual, and CALFED will be a
9 failure if that is not addressed. This is a significant
10 portion of the economy of California that demands or
11 relies on this supply, and there's absolutely no way
12 that we're going to survive under these kinds of
13 conditions.

14 I wished I had more time because it would really
15 pay for you to hear the full story, but the price is
16 dictated that we go into permanent crops. Permanent
17 crops require more water and also require reliability.
18 So you have got a major problem, a disaster in the
19 making, and it's only going to take a dry year to prove
20 it. Thank you.

21 MR. BODOVITZ: Thank you. Marvin Meyers,
22 Bill Harrison, Al D-i-n -- Al Dingle, have I got that
23 right?

24 MR. DINGLE: That's pretty good.

25 MR. BODOVITZ: My handwriting isn't very

Page 24

1 good, thank you. Mr. Meyers.

2 MR. MEYERS: I'm Marvin Meyers, I am a
3 board member of the San Luis Water District and I farm
4 on the west side of the San Joaquin Valley in San Luis
5 and Westlands Water District. We farm about 4500 acres
6 with my family, grow cotton, beans, almonds, sugar
7 beets. We're very diversified. We employ about 100,
8 125 people at peak, and you've heard Jean describe our
9 current supply situation. It's pretty bleak. We've
10 been forced to be very creative in order to survive.
11 We're using state-of-the-art irrigation techniques and
12 water management techniques, and if you're genuinely
13 interested in these techniques, I invite you to come out
14 to the west side to our area and we would be glad to
15 show them to you.

16 The five-year drought taught us a great lesson on
17 water conservation. Prior to 1989 for example we used
18 almost an acre foot of water on preirrigation for
19 cotton. Through careful monitoring techniques and new
20 technology, we were able to cut this use to six inches.
21 We use exclusively sprinklers and drip. In addition to
22 finding ways to increase our yield with less water, I
23 and others within the Authority are looking for ways to
24 increase our efficiency and our supply through ground
25 water recharge. An example of this is a privately

Page 25

Page 27

1 funded ground water recharge project by the Mendota Pool
2 that we've attempted to go and it's working.

3 The cropping patterns in the San Luis Water
4 District are changing to high risk and permanent crops
5 such as trees and vines. While we know these perennials
6 will be vulnerable during a drought, the economics of
7 double water prices has given us no choice than to plant
8 those crops. Even with these changed practices, we do
9 not have an adequate supply of irrigation water. We
10 acknowledge that we will never see 100 percent supply
11 again as we knew it, but the kind of supplies that Jean
12 has described for you are not sustainable.

13 Four years ago when the accord was signed and
14 CALFED came into existence, I was thrilled that some
15 order would come to the chaos that existed in the water
16 community. Today I believe CALFED will fail to
17 accomplish that. I honestly believe the CALFED process
18 is failing agricultural water users. The process is
19 ignoring us. The policy makers must address the
20 potential system failure like the Delta smelt one we
21 just had. We're depending upon CALFED to turn this
22 thing around, create a balance, and to avoid a crisis in
23 agriculture. What we see in the EIS is frankly little
24 hope of getting better and lots of data that things will
25 get worse. If there's no explicit commitment to address

1 restrictions at banks in Tracy pumping plants were
2 unilaterally imposed by the Fish and Wildlife Service
3 under a no jeopardy opinion addressing export operations
4 on Delta smelt.

5 This unwarranted action created a true water
6 supply crisis for both agricultural and urban water
7 users south of the Delta, and I do not use the term
8 crisis lightly. The consequences of this action could
9 have been, without exaggeration, devastating and the
10 water supply effects still linger both in terms of
11 reduced San Luis Reservoir storage levels and probable
12 impacts on next year's water supplies. Imagine, if you
13 will, being a farmer who through no fault of his own is
14 suddenly faced with the prospect of not having water
15 during the hottest, most crucial period in the growing
16 season. Alternately imagine you're a high tech
17 manufacturer in Silicon Valley with valuable orders to
18 fill, suddenly being told that your water supply will no
19 longer be of suitable quality or adequate quantity to
20 meet your needs until further notice. In either case
21 the effects are not merely personal, but very
22 far-reaching.

23 At issue here is how the United States intends to
24 fulfill its obligation under the Bay Delta accord. The
25 State, along with state and federal contractors, agreed

Page 26

Page 28

1 the deteriorating situation in the final EIS and create
2 balance, I do not see how we will be able to continue
3 our support on any of CALFED's goals. Thanks a lot.

4 MR. BODOVITZ: Thanks, Mr. Meyers. Bill
5 Harrison, Al Dingle, Diane Rathman.

6 MR. HARRISON: Hi. My name is Bill
7 Harrison, I am General Manager for the Del Puerto Water
8 District for the past 23 years. The District is a
9 federal CVP water contractor whose 45,000 acres of
10 valuable, highly diversified farmland is wholly
11 dependent upon Delta exports for its water supplies.

12 First of all, I would like to thank and compliment
13 you for holding the meeting here tonight in this area
14 that's most severely impacted by the problems CALFED
15 intends to resolve. I'm here tonight to report that
16 while we're in full support of stated CALFED principles
17 and objectives, it's become painfully obvious to us that
18 separate CALFED agencies do not always and necessarily
19 adhere to them. First and foremost, we understand that
20 the program is to be comprehensive. By this we
21 understand that there can be no outliers or wildcards
22 that adversely affect water users through unilateral
23 actions taken under CVPIA, ESA, or other state and
24 federal statutes. The most dramatic case in point
25 occurred earlier this year when additional pumping

1 to the limitations contained in the accord because it
2 promised to provide water supplies certainty while the
3 CALFED process developed a plan to restore the Delta and
4 water supply reliability. In exchange for this promised
5 certainty, contractors gave up nearly a million acre
6 feet of water in a dry year. We find this combined
7 misapplication of the Endangered Species Act and
8 disregard for the accord incomprehensible, and an
9 obvious rejection by the United States of those basic
10 promises that resulted in the entire CALFED process.
11 While we struggle to see CALFED through to a successful,
12 balanced, and comprehensive conclusion, it's imperative
13 that the entire CALFED policy group be involved in all
14 operational decisions involving significant policy
15 components and/or water supply implications as has been
16 provided for by the accord. Thank you very much.

17 MR. BODOVITZ: Thank you, Mr. Harrison.
18 Al Dingle, Diane Rathman, Tom Boardman.

19 MR. DINGLE: My name is Al Dingle, I am
20 the President of the Board of Directors for Westlands
21 Water District, western Fresno and Kings counties. The
22 District will submit written comments on the specifics
23 of the draft EIS/EIR, but tonight I would like to submit
24 for the record our sentiments and concerns with the
25 direction the CALFED program is heading.

Page 29

1 Your video this evening was very impressive. I
 2 thought it was a great sales pitch. If I hadn't been
 3 spending the last four and a half years almost every day
 4 of my life fighting to retain what little water supply
 5 we contractually have left, I would have been sold by
 6 that video. Four and a half years ago, Westlands
 7 farmers placed high hopes on CALFED as a way to finally
 8 fix the problems in the Delta and to restore our water
 9 supply reliability, but those hopes are gone. It was
 10 proven this summer with the pumping restrictions, the
 11 loss of 500,000 acre feet due to the Delta smelt. It
 12 was proven that the system is broken and still out of
 13 balance just as much today as it was four years ago.
 14 We're frustrated and frankly outraged. This
 15 document offers nothing to improve our water supply
 16 uncertainties, which have resulted in a full contract
 17 entitlement to Westlands in only two of the past ten
 18 years. The soft pass solution such as increased water
 19 transfers, water conservation practices offered in this
 20 document are already common practice in Westlands and
 21 are overrated in being able to solve the state's water
 22 supply problems. In short, this document suggests we
 23 have to wait seven years to see if a through Delta
 24 option will work and studies for additional storage will
 25 be considered. Isolated facility conveyance has been

Page 30

1 taken completely off the table.
 2 Frankly, we don't have seven years. These chronic
 3 water shortages have become a death by a thousand cuts.
 4 It's slow, cumulative, and extremely painful. Each year
 5 the cuts get deeper and our farmers get deeper and
 6 deeper in debt. This leads us to believe that you
 7 intend to eliminate agriculture in the San Joaquin
 8 Valley. If this is your intent, just say so. Let's put
 9 it on the table right now. We've had five wet years in
 10 a row which have allowed us to purchase water from other
 11 sources, but just wait until the wet years stop and the
 12 next drought hits. All the water marketing, water
 13 conservation, soft path approaches to water management
 14 won't protect us from the economic death during a
 15 drought. And when we go, also go the farm workers, the
 16 rural communities, the food processors, farm dependent
 17 businesses, and the tax base. If that's what you want,
 18 then continue down the same path you headed. Thank you.
 19 MR. BODOVITZ: Thank you, Mr. Dingle.
 20 Diane Rathman.
 21 MR. BOARDMAN: Tom Boardman and Diane
 22 Rathman would like to switch speaking order.
 23 MR. BODOVITZ: Tom Boardman and Diane
 24 Rathman are switching, that's fine. You're Tom?
 25 MR. BOARDMAN: With that, yes. I'm Tom

Page 31

1 Boardman.
 2 MR. BODOVITZ: Okay, Tom Boardman, Diane
 3 Rathman, David Orth.
 4 MR. BOARDMAN: Yes, Tom Boardman with the
 5 San Luis Delta Mendota Water Authority. I am a water
 6 resource engineer. One of my responsibilities is to
 7 analyze the technical aspects of proposed water supply
 8 programs and operation plans. In that capacity, I have
 9 reviewed the modeling assumptions in EIS and have found
 10 a number of problems which will be described in our
 11 written comments. The most significant modeling problem
 12 from our perspective is the handling of the B-2 issue.
 13 As you know, B-2 refers to the allocation of 800,000
 14 acre feet of project yield for the environment as
 15 directed by section 3406(B)2 of the Central Valley
 16 Project Improvement Act. Now, despite the fact that the
 17 B-2 issue is right now in litigation, all of the
 18 alternatives -- and I emphasize all of the alternatives
 19 in the EIS assume that the B-2 water will be allocated
 20 as specified in the 1997 November Interior Department
 21 proposal. We recognize that there is a significant
 22 amount of uncertainty as to which regulatory and
 23 legislative constraints will be in place over the next
 24 20 to 30 years. For this reason, we agree with the book
 25 ending -- quote, book ending, assessment methodology

Page 32

1 used in the EIS; however, the least restrictive set of
 2 regulatory conditions on exports under current law is
 3 excluded from the EIS.
 4 The least export restrictive operational criteria
 5 should be such that no more than 800,000 acre feet of
 6 yield be diverted from the CVP as required under the
 7 Central Valley Project Improvement Act. The least
 8 export restrictive operational criteria contained in the
 9 EIS excludes the Department of Interior -- or excuse me,
 10 includes the Department of Interior's November 1997
 11 proposal which reduces CVP yield by about 1.2 million
 12 acre feet. And finally, it should be noted that the
 13 Interior Department has recently proposed an approach
 14 for allocating B-2 water, and this approach would likely
 15 result in even greater restrictions in Delta pumping.
 16 It's imperative that the range of operational scenarios
 17 be depicted in the EIS as realistic as possible. Thank
 18 you.
 19 MR. BODOVITZ: Thank you, Mr. Boardman.
 20 Diane Rathman, David Orth, Laura King.
 21 MS. RATHMAN: Good evening. I am Diane
 22 Rathman and I am counsel for the San Luis and Delta
 23 Mendota Water Authority. I am an attorney from
 24 Dos Palos, and before you write me off as a hired gun, I
 25 want you to know I do live in these communities. I was

Page 33

Page 35

1 born here in a community of 5,000 people, and the
 2 survival of that community is very, very important to
 3 me. Also, I have been honored to be part of the
 4 Grassland Bypass Project and to be involved with the
 5 Authority and the number of local initiatives to survive
 6 at this level are enormous and are very encouraging, but
 7 we must have further support in the sense of having some
 8 of our water supplies restored.

9 I wanted to say specifically about the EIR/EIS,
 10 that as Tom Boardman has mentioned, it has only one view
 11 of the B-2 impact considered in all of the alternatives.
 12 That view we know is legally impermissible because of
 13 what the court has held, and there will be probably
 14 either a policy such as the new proposal which takes
 15 more water or success of the contractors in the
 16 litigation and there will be less water. So we think
 17 that for the EIS to be adequate, it needs to consider
 18 other alternatives on B-2, and that its failure to do so
 19 does mean that it may be subject to challenge from one
 20 side or the other and we would like not to have that
 21 come about. We would like that to be broadened. Thank
 22 you, that's really the only comment that I had to make
 23 tonight.

24 MR. BODOVITZ: Thank you, Ms. Rathman.
 25 David Orth, Laura King, Art Dove.

1 valid, yet we have some concerns.

2 First of all, some of the scenarios actually being
 3 looked at for environmental water account use result in
 4 reduced supplies to our farmers. This is clearly not
 5 the direction we envision and it's not acceptable. The
 6 environmental water account will only be successful if
 7 it's part of a broader, balanced, water management
 8 strategy. The environmental water account also causes
 9 us concerns by proposing to purchase water transfers and
 10 storage for environmental uses from a market that's
 11 already significantly strained and deficient in supply
 12 conveyance capacity and storage. Take it from a
 13 District that's been forced to purchase over 2 million
 14 acre feet in the last ten years to cope with the
 15 failures of the United States. We don't think that
 16 another buyer in the market serves any purpose. The
 17 United States taking more of our supplies by accessing
 18 the water market with large sums of money is not our
 19 definition of success.

20 There are four things that we think the
 21 environmental water account needs to address as it moves
 22 forward. We need to develop a set of regulatory
 23 operational requirements that will be met. We need to
 24 develop a means of implementing those requirements on a
 25 real-time basis to increase flexible operations to

Page 34

Page 36

1 MR. ORTH: Good evening. I am David
 2 Orth, the General Manager of the Westlands Water
 3 District. Tonight my comments I think will focus on the
 4 environmental water account. Before I go there, just a
 5 couple of points. Obviously the key to the survival of
 6 west side agriculture and the farmers who produce our
 7 nation's food supply is operational certainty with
 8 respect to their water supplies, and more importantly
 9 immediate recovery of some of the water that they've
 10 lost to the Bay Delta accord. I think you probably
 11 understand that by now.

12 We're concerned that CALFED's EIS does not
 13 adequately address or understand the significance of how
 14 broken the system is. I think we owe it to all of
 15 California and the nation to quickly respond to the
 16 serious plumbing problem that we have that was evidenced
 17 by the Delta smelt debacle this last summer, and get on
 18 with things. We need to restore that operational
 19 certainty and we need to fix the plumbing.

20 A couple of comments about the environmental water
 21 account. It's touted -- it was presented in the video
 22 and it's repeatedly touted as a tool to allow for some
 23 restoration of water supply certainty to the export area
 24 by making the environmental water uses accountable and
 25 under some type of a budget. We think this concept is

1 benefit water users in the environment. We must develop
 2 a plan for phasing, not all of the environmental water
 3 account tools can be on line instantly. And finally, we
 4 must define stage one ecosystem restoration program
 5 activities given that in order to develop the elements
 6 and phasing for the EWA, we need more definition of the
 7 ERP program. Thank you.

8 MR. BODOVITZ: Thank you, Mr. Orth.
 9 Laura King, Art Dove, Dennis Prosperi.

10 MS KING: Thank you. I am Laura King,
 11 Planning Director with the San Luis and Delta Mendota
 12 Water Authority. I would like to just begin, Dan Nelson
 13 was trying to get through a list of specific
 14 recommendations when you so rudely cut him off. I would
 15 just like to add two other points. One has to do with
 16 drinking water quality. One of our member agencies is
 17 the Santa Clara Valley Water District which serves
 18 600,000 customers, and we are very concerned about their
 19 drinking water quality. So one of our recommendations
 20 is that CALFED work with the urban water agencies to
 21 establish quantifiable water quality benchmarks which is
 22 something that I've heard CALFED people talk about, but
 23 it's not in the EIS and I think it needs to go in there.

24 Secondly, we strongly recommend that some kind of
 25 scientific review process be established, and again I

Page 37

Page 39

1 know this is something that CALFED is thinking about
2 doing. As we've mentioned, we're concerned about the
3 water acquisitions being competition for us, for the
4 environmental water account, and we're also concerned
5 about the scientific basis for some of the B-2 actions.
6 So we think it's very important if we're going to be
7 taking that much water away from this area on a
8 continuous basis, that we really ascertain whether
9 there's scientific merit.

10 I would just like to close by saying about a year
11 ago Dan Nelson and I were back in Washington meeting
12 with various people about CALFED, and at that time a
13 high ranking Interior official told us that, quote, "For
14 you folks, getting better means not getting any worse."
15 Since that time, we had the Delta smelt crisis where we
16 lost half a million acre feet, and a new B-2 policy that
17 would reduce our average supply level down from 70
18 percent down to 50 percent on average. Perhaps all of
19 those things have just been intended to show us what
20 getting worse could look like. It hasn't been a fun
21 year, but we are still counting on CALFED to restore our
22 supply reliability and to make agriculture in this area
23 sustainable. Thank you.

24 MR. BODOVITZ: Thank you, Ms. King. Art
25 Dove, Dennis Prosperi, Michelle Lasgoity.

1 Novelist Pearl S. Buck wrote, "Every great mistake
2 has a halfway moment, a split second when it can be
3 recalled and perhaps remedied." Hopefully, we have not
4 gone past that halfway moment with this CALFED plan. We
5 must make additional storage facilities, including dams,
6 available to provide a sufficient water supply for all
7 segments including California's farmers who will then be
8 able to continue producing the most diversified and
9 reasonably priced food crops in the world. Thank you.

10 MR. BODOVITZ: Thank you, Mr. Dove.
11 Dennis Prosperi, Michele Lasgoity, Janice Lowder.

12 MR. PROSPERI: Hello, my name is Dennis
13 Prosperi. I am a farmer in the east side of the Valley
14 in Madera and I think what you have heard here tonight,
15 that the west side farmers have lost a lot of water and
16 they're trying to stop the losses and maybe recover
17 some. But looking at agriculture in the Valley, I think
18 you have to look at the east side of the Valley and
19 we're not as far along as they are, we're just in the
20 process of starting to lose ours. I think when we need
21 to look at agriculture, we need to stay united.

22 I think CALFED needs focus on a couple things. I
23 don't think after hearing this crowd tonight you really
24 have a lot more bullets in the gun. Patience is running
25 thin, the process is not going to work unless -- you got

Page 38

Page 40

1 MR. DOVE: Thank you. My name is Art
2 Dove and I live in the city of Fresno. Yesterday my
3 grandson and I were driving from Fresno to a
4 San Francisco Giants baseball game and we were talking
5 about some of the agricultural crops growing alongside
6 the roadways. At one point my grandson said, "You know,
7 we're really lucky to have all of this food available to
8 us." I agreed, but I also shared with him a little
9 about CALFED's plan to idle farmland by reducing water
10 availability to agriculture. His response was quick.
11 "That's dumb."

12 You bet it is. The CALFED solution must not be
13 found at the expense of California farmers. Taking more
14 water away from the most productive food resource in the
15 world and idling thousands and thousands of acres of
16 agricultural land, much of which is habitat for
17 wildlife, makes no sense at all. According to the
18 August issue of the CALFED Bay Delta News, an important
19 work effort at CALFED over the next several months is
20 the ISI, Integrated Storage Investigation and Evaluation
21 of Storage Options and Operations. Let's hope this is
22 more than lip service, because a CALFED plan that does
23 not include additional storage to meet existing water
24 needs plus future increasing demands for water is no
25 plan at all but is in fact a major mistake.

1 one shot at it the way I see, and I wouldn't waste it.
2 I think the reality is, the when is as important as the
3 how, but the when has to be relatively soon if you're
4 going to save some people from going out of business.
5 But the how and where are important.

6 The good carpenter says you measure twice and cut
7 once. I don't think you guys can afford to cut twice.
8 I think when you look at what's happening when you
9 decide on building a project, unfortunately that 1.9
10 billion dollars I would be a lot more optimistic if they
11 were going to raise Friant Dam or put some more off
12 stream storage in, but they're not. So that leaves you
13 with limited options. So my suggestion to CALFED is
14 that when you look at a project, make sure that you know
15 where it's going to go, how it's going to go, and how
16 you're going to present it to the community.

17 As Lester previously spoke tonight about the risk
18 of the Madera ranch oversight, Madera Ranch Project
19 which turned into a quagmire. We can't afford that in
20 agriculture, and as Undersecretary Yates told me, you
21 have to build support from the bottom up, not from the
22 top down. And I think we all know that happened. And
23 if we're not careful and if we find a project, I don't
24 care if it's in Madera or where it's at, that turns
25 farmer against farmer, then everyone in this room is

Page 41

Page 43

1 going to lose. We can't afford to be divided, we're
2 already losing. We've got to stop the loss and start
3 winning, and we're going to have to stay together. And
4 I am asking CALFED to be real careful because you're
5 only going to probably get one or two shots at this, and
6 I think you need to build support for a project that
7 will work and I would like to see it be a dam with a
8 lake. Thank you.

9 MR. BODOVITZ: Thank you, Mr. Prosperi.
10 Michelle Lasgoity, I hope I'm pronouncing it somewhere
11 close to right, Janice Lowder, Ron Pistoresi.

12 MS. LASGOITY: Hi, my name is Michele
13 Lasgoity. My family and I have a diversified production
14 agriculture business which began in the 1920's primarily
15 operating in Madera County. Our products consist of
16 beef cattle, wine grapes, sheep, wool, cotton, and
17 alfalfa. I manage the cattle operation of our business
18 and perform the financial and administrative activities
19 for all our operations.

20 The CALFED Bay Delta Program initiated several
21 years ago by Federal, State, and other water interests
22 was to provide a process to plan for California's water
23 future while addressing Bay Delta environmental
24 problems. As born and raised California agriculturists,
25 we believe we should be part of that future, but the

1 local water districts, and stake holders. As a member
2 of the Madera Ranch Project Oversight Committee, I
3 fervently hope that CALFED will move quickly and
4 judiciously in developing water storage with projects
5 which are technically, economically, and
6 geohydrologically feasible and carry the support of the
7 community. We cannot afford to spend several more years
8 studying water in California. Think of CALFED's legacy
9 to California's future and develop more water storage
10 quickly. Thank you.

11 MR. BODOVITZ: Thank you, Ms. Lasgoity.
12 Janice Lowder, Ron Pistoresi, Chester Andrew.

13 MS. LOWDER: Hi, my name is Janice
14 Lowder. I am a farmer's wife, I am a farmer's daughter.
15 I am also a farmer's sister and a farmer's aunt as well
16 as a farmer's cousin. I was a farmer's granddaughter
17 and a farmer's niece, but I am deeply concerned that I
18 might never get to be a farmer's mother. I don't base
19 that concern on any choice that my child might make, I
20 base it on the possibility that the opportunity for him
21 to make that choice will cease to exist.

22 We farm because we love it. It's a business, yes,
23 but it's so much more than that. It's how we make our
24 living, it's a way of life, it's our culture, and at
25 this point I see our culture being threatened. We need

Page 42

Page 44

1 recently published EIS plan clearly doesn't provide for
2 us. CALFED's emphasis on water transfers, conservation,
3 idling productive farmland overtly leaves agriculture
4 without a specific water storage development plan for
5 the future.

6 In addition, it's not just agriculture that needs
7 a water storage development plan, so does the
8 environment for restoration and maintenance as well as
9 our growing urban population. CALFED must change and
10 refocus their plan to develop water storage for
11 California's current and future demands. Without more
12 water storage, California and particularly California
13 agriculture will be severely, negatively impacted.

14 To be more specific, CALFED's plan will sacrifice
15 the most productive, diversified agricultural area in
16 the United States which provides the vast majority of
17 our reliable, high quality food. People throughout
18 California will suffer from this loss of the state's
19 highly productive farmland, whether they work on the
20 land, live in rural communities, or shop at the grocery
21 store in town.

22 Is this CALFED's intended legacy? The CALFED
23 program must move forward now to develop water storage.
24 The storage must be environmentally benign and address
25 the issues and concerns of production agriculture, the

1 an adequate supply of reasonably priced water to be able
2 to continue to produce food and fiber for consumers. I
3 am so tired of farmers being painted as being the big
4 bad water users. When it takes 60 gallons of water to
5 produce one eight ounce glass of milk, who is the
6 ultimate water user? The consumer. When it takes 1200
7 gallons of water to produce one pair of blue jeans, who
8 is the ultimate water user? The consumer. My prayer is
9 that CALFED will make incredibly wise, intelligent
10 decisions regarding adequate water supply for
11 agriculture in this state so that I might some day get
12 to be a farmer's mom. Thank you.

13 MR. BODOVITZ: Thank you. Ron Pistoresi,
14 Chester Andrew, Bill Diedrich.

15 MR. PISTORESI: I am Ron Pistoresi. I am
16 on the Board and President of the Madera Eastern
17 District Board and on Friant Water Users Board. I
18 didn't come here with a prepared statement because
19 there's been so many eloquent speakers here tonight
20 talking on the subjects. Every one of them is
21 important.

22 The plumbing in the Delta has been brought up by
23 David Orth and supplies, and earlier we talked about
24 ground water, banking and I asked you the question on
25 how are they being proven out. I think you can see that

Page 45

Page 47

1 maybe some of it really hasn't been proven, and my
2 problem is with the gentlemen and ladies which are
3 talking about what underground banking is, and you've
4 seen it in Madera, we talked about it, not
5 scientifically being proven. We need storage, and I
6 would hate to get caught in looking at a quick fix
7 because we do need to fix things in a hurry, but we also
8 have to look at the long, long, long-term for our
9 future; not just for ours, but for our kids and their
10 children, and I think surface supplies is the only way
11 to go to really do that. You can see what's in a dam,
12 you can see who it belongs to, and you know where it's
13 going.

14 So I here real quickly, short, just say please
15 continue -- out of this new bond if it gets passed,
16 let's look at surface supplies. Dams. There's nothing
17 wrong with the word dam. Nobody ever wants to use the
18 word dam. Let's build more dams. I think the
19 environmentalists are starting to realize that part of
20 their problems and questions they have with us about our
21 water usage and the environment can be solved and we can
22 do it together, and we're starting to work with them I
23 think hand-in-hand. And a lot of people thought it
24 couldn't be done, but it's being done. You can see it
25 in our negotiations on the San Joaquin River. And

Page 46

1 looking at those negotiations, the environmentalists,
2 which I respect and a lot of their directions are good
3 because they have some good concerns -- we need surface
4 supplies which means dams. So please, please, in your
5 negotiations and if this bond passes, let's focus on
6 those supplies on the San Joaquin River and other areas.
7 Thank you.

8 MR. BODOVITZ: Thank you, sir. Chester
9 Andrew, Bill Diedrich, Amy Fowler.

10 MR. ANDREW: Good evening. My name is
11 Chester Andrew, I am representing the Madera County Farm
12 Bureau. Also a farmer in Madera County out toward the
13 little community of Firebaugh and Mendota; been out
14 there all my life, born and raised. We have a family
15 farm. We grow cotton, wheat, beans, alfalfa, wheat,
16 almonds, and grapes. We're very diversified, the only
17 way we can stay in business today.

18 Now I am looking at farming -- when you have all
19 your commodities down and depressed in price, you people
20 don't realize you have a rare opportunity here. There's
21 not going to be a water problem in two or three more
22 years if prices stay like this. Farmers will be gone,
23 you'll have it. Farmers have been misaligned from the
24 environmental community for far too long. We've been
25 misaligned from our neighbors in the cities for far too

1 long. Everybody says that we use the majority of the
2 water. Well, we may use it, but we're only borrowing it
3 for a short period of time. The ultimate user is the
4 consumer as my sister said just a couple of -- just a
5 couple people back.

6 Water is so precious to agriculture and so
7 precious to the State of California. You take water out
8 of the Central Valley and the farmers, you're not going
9 to have a California as it is today. You will have a
10 Bay Area, you will have a Southern California,
11 everything else will be a void because there is not
12 enough other industry that will carry this state. We
13 will not have the economy that we have today.
14 California doesn't just feed California, it feeds the
15 rest of the United States in specialty crops. Many
16 specialty crops that aren't grown anywhere else in the
17 United States, also the world, and it's all dependent
18 upon water.

19 As Mr. Pistoresi just before me said, we have to
20 develop more off-site water storage. We have to. The
21 only answer there is dams. We need several man-acre
22 feet more water storage, and we need it very shortly and
23 that is going to have to be dams. That's the only thing
24 that makes any sense. Thank you.

25 MR. BODOVITZ: Thank you, Mr. Andrew.

Page 48

1 Bill Diedrich, Amy Fowler, Clifford Koster.

2 MR. DIEDRICH: Yes, my name is Bill
3 Diedrich and I am a small business owner in the
4 Firebaugh/Mendota area. I own Diedrich's Ag Spray which
5 is a pesticide application business by ground. We work
6 in row crops and tree crops, and I am here today to
7 bring a case for a dependable, reliable, water storage
8 that we can afford in our area.

9 I am also a farmer. My business is directly
10 related to the amount of acres that's farmed in the
11 area. I have seven full-time employees and up to ten
12 part-time employees. I try and pay a fair wage with a
13 benefit package that a worker can raise a family on and
14 own a home. I've got employees that are dependent upon
15 me for their subsistence, exactly that. Their families,
16 they've got kids in school. I've got an employee with
17 children in college, and Jean Sagouspe's chart here
18 makes my case for me, because we squeak through; my
19 business started in 1980, so I've been in business 20
20 years now. And we survived the drought in the early --
21 late '80s/early '90s with a couple layoffs. I did have
22 to cut medical benefits to my employees at that time.

23 Needless to say, if the same drought was to occur
24 today, I'm not sure my business would survive.

25 Certainly all the full-time employees would probably

Page 49

Page 51

1 lose their jobs. So the impact on the local communities
2 is what I'm getting at, not only myself as a farmer
3 because I am a fourth generation California farmer and I
4 have developed 260 acres of trees on drip irrigation in
5 the San Luis Water District; and needless to say,
6 everything that I've worked for in the last 25 years
7 would be severely at risk if we were to face another
8 drought situation similar to what Jean's chart shows
9 here. And certainly all my employees in the area would
10 suffer great financial harm, not to mention the
11 emotional harm with losing their jobs and their homes.
12 Thank you very much.

13 MR. BODOVITZ: Thank you, Mr. Diedrich.
14 Amy Fowler, Clifford Koster.

15 MS. FOWLER: My name is Amy Fowler from
16 Santa Clara Valley Water District. Santa Clara Valley
17 Water District is the water resource management agency
18 providing flood protection needs and wholesale water
19 reliability to Santa Clara County's 1.7 million
20 residents and over 1500 businesses that collectively
21 contribute to the 104 billion dollar regional economy.

22 In an average year, over half of our supplies is
23 imported into Santa Clara County through the State Water
24 Project, the Central Valley Project, and the
25 Hetch-Hetchy Project. The reliability and quality of

1 water quality. On the contrary, the EIR/EIS stated that
2 there is a strong potential that our drinking water
3 quality may degrade due to CALFED's ecosystem
4 restoration program.
5 We supported the CALFED program based on the
6 assumptions that CALFED will improve our water supply
7 reliability and water quality, and that a comprehensive
8 solution that allows every sector of society to get
9 better together is a superior solution. We are now at
10 the point where we need to be convinced that CALFED
11 still deserves our support, especially our financial
12 support. We need to be shown identifiable, tangible,
13 and quantifiable benefits in water supply reliability,
14 in drinking water quality, and in regulatory certainty
15 that we will receive in stage one of implementation.

16 MR. BODOVITZ: Ms. Fowler, the time is
17 gone, I'm sorry. Thank you. Clifford Koster.

18 MR. KOSTER: My name is Clifford Koster,
19 President of the Del Puerto Water District comprised of
20 45,000 acres between Tracy and Santa Nella. Del Puerto
21 contracts for CVP for surface water supply with the
22 Bureau of Reclamation. We recognize that the District
23 has an unreliable long-term surface water supply and
24 also that we are politically vulnerable to water
25 grabbers; therefore, Del Puerto is in the market for

Page 50

Page 52

1 our supplies are paramount to support and sustain the
2 demands of Silicon Valley; and because we are also a
3 member of the Water Authority, so our fates are very
4 much tied together even though we may be coming from a
5 mostly urban community.

6 Two and a half months ago the constituents of our
7 county sent CALFED a joint letter signed by the County
8 Board of Supervisors, all 15 cities in our county,
9 business leaders representing high tech industries and
10 commerce, the Santa Clara County Farm Bureau, and the
11 Guadalupe Coyote Resource Conservation District. In
12 this joint letter we expressed our support for CALFED,
13 but we also pointed out that in order for CALFED to
14 succeed, it must meet all four of its program objectives
15 through a balanced implementation program. This
16 balanced implementation must provide equitable and
17 progressive improvement in water supply reliability,
18 drinking water quality, and ecosystem restoration.

19 Now that we've had an opportunity to review the
20 June EIR/EIS, we are very concerned over CALFED's
21 abilities to meet the needs that we've stated. We do
22 not see any near-term improvements in water supply
23 reliability. On the contrary, we see our existing State
24 Water Project and CVP reliability being eroded away. We
25 also did not see any near-term improvements in drinking

1 water on a regular basis.

2 We are opposed to using our ground water supply
3 which is stable at present to contribute to the pool of
4 new water that California needs. We oppose any
5 exportation of our ground water as well as the use of
6 either our ground water or surface water to support
7 urbanization.

8 Del Puerto believes that in order to get some
9 reliability and stability in our CVP water supply, an
10 isolated canal in the Delta is needed. This facility
11 will improve the migrating fish problem and ESA mandates
12 which are the root cause of unreliability for CVP
13 exports. The canal should be a minimum size of 5,000
14 CFS with outlets designed to enhance the water quality
15 to address Delta politics.

16 Del Puerto greatly favors increased water storage
17 in the state, specifically in the Friant, Shasta, and
18 Auburn areas. Water storage in California is part of
19 the state's infrastructure, just as necessary as
20 highways, air, and land. Everybody benefits from water
21 storage and everybody should pay for it, just as
22 providing a common pool of water is to be financially
23 supported by everybody.

24 The District is a leader in water conservation.
25 Our Bureau-approved water conservation plan has been

Page 53

Page 55

1 recognized as exemplary. The District has 4 million
2 dollars in low interstate revolving fund money available
3 for water conservation projects. Our farmers have
4 installed high efficiency irrigation and table water
5 return systems to increase distribution uniformity and
6 reduce surface water runoff. I would note that these
7 systems do not use less water, they just use it more
8 efficiently. The Del Puerto Water District is allying
9 with the recently formed San Joaquin Valley Drainage
10 Authority to positively address surface water runoff to
11 the San Joaquin River, and I thank you for this
12 opportunity to provide these comments.

13 MR. BODOVITZ: Thank you, Mr. Koster. We
14 are recording all the comments, and in addition as you
15 can see, we have a court reporter taking down all the
16 comments. This is really grim for him because these are
17 very intense statements. So about this time every night
18 we try to give our reporters ten minutes to get some
19 feeling back in their fingers, so we'll take a ten
20 minute recess and resume at 8:25 sharp.

21
22 (Break taken.)
23

24 MR. BODOVITZ: We still have a number of
25 people we want to hear from, so if we can resume the

1 paragraphs that I am reading here that was provided to
2 me is that the environmental use of the water is already
3 50 percent, and we talked about the environmental bank.
4 I think when agriculture is using their water wisely,
5 everybody benefits including environmental issues. And
6 that's about all I have to say, thank you.

7 MR. BODOVITZ: Thank you, Mr. Felch.
8 Dennis Noble, Tom Rogers, Kenneth Groefsema. I hope I
9 am pronouncing that close to right.

10 MR. NOBLE: Hello. My name is Dennis
11 Noble, I am from Merced County. I am on the Farm Bureau
12 Board of Directors, I have a crop-dusting business in
13 Merced. It's hard to follow the comments made tonight
14 because everybody kind of covered the issues I wanted to
15 cover, but what I am concerned about is the next
16 drought, and there will be one. And when that happens,
17 my feeling is that this Bay Delta project is going to be
18 the poster child for CALFED and for all the
19 environmentalists, and I feel that the water that is
20 available will go to the Bay Delta Project and
21 agriculture will take the third seat behind the cities.
22 I think the people of California will be put behind the
23 environmentalists. When this next drought does come,
24 the ground water is going to be pumped to the cities and
25 the Bay Delta because you don't have surface water

Page 54

Page 56

1 hearing, please. For any of you who may have come in
2 late, if you haven't already filled out one of these
3 yellow cards and you wish to speak, please fill out one
4 of the yellow cards at the table in the back. If we're
5 ready, we'll resume our hearing. The first speaker will
6 be Russell Felch followed by Dennis Noble followed by
7 Tom Rogers.

8 MR. FELCH: Hello. My name is Russ
9 Felch, I am from Hilmar. I am a Board Member and First
10 Vice President of the Merced County Farm Bureau. Most
11 of my concerns have already been addressed tonight, but
12 I just want to touch on them real quickly.

13 The need for future storage to meet our immediate
14 needs, I believe a few of the other speakers have
15 already talked about above ground storage. It's very
16 necessary. Also, the problem with farmland being taken
17 out of production to compensate for the water use.
18 That's very high on my list. Who's going to say what's
19 the proper type of crops to take out of production? And
20 also drainage here in the San Joaquin Valley, there
21 hasn't been too much said about that. That needs to be
22 addressed.

23 And some of the stuff that I've read, which isn't
24 a lot to be honest with you about CALFED, but one of the
25 things that was specifically stated in one of the

1 storage to take care of the projects you want to take
2 care of.

3 So those are the most things I wanted to say.
4 Also what I do feel is I asked a question earlier about
5 where ag was going to stand during the next drought to
6 you, Mr. Stone, and you didn't answer my question. You
7 went around it and said the governor will answer that
8 question. I think agriculture would like to know right
9 now where they stand when the next drought comes. Thank
10 you.

11 MR. BODOVITZ: Thank you, Mr. Noble. Tom
12 Rogers, Kenneth Groefsema, Bill Koster.

13 MR. ROGERS: Thank you. My name is Tom
14 Rogers, I am a farmer from Madera County. I would like
15 to thank you for this opportunity to speak tonight. I
16 wold just like to say that I depend on land and water
17 rights, and I am counting on you to strengthen the
18 reliability of this water and those water rights.
19 Please don't lessen them. California farmland is a
20 tremendous natural resource and it must be protected.
21 The CALFED document indicates people should expect less
22 water most of the time. It's been my experience when we
23 set goals low, we do manage to achieve them. Instead,
24 CALFED should set these goals high to meet the needs of
25 all the people, not to hurt all the people.

Page 57

Page 59

1 People throughout California depend upon this rich
2 agricultural land. When ag is deprived of water, the
3 entire state suffers. Agriculture and the rural
4 communities cannot stand the losses from retirement of
5 ag land. I'm sure the comments you're hearing this
6 evening and from other evenings are not new to you, but
7 I do sincerely hope you're listening and will include
8 them in your future decisions.

9 Your decisions will have a tremendous impact on me
10 and all of agriculture. Pardon me for being selfish,
11 but I'm concerned about me right now. It is going to
12 directly affect my way of life and what I have, and I
13 have very little to say in it and it scares me. You're
14 asking me to trust you and that's awfully hard to do.
15 There are no firm details, only what you want to do.
16 There may be noble intentions, but if your decisions
17 take away my way of life, I hope you understand my fear.
18 You've also mentioned that -- or talked of cooperation,
19 but I don't know how much true cooperation is when you
20 realize that you, the federal and state regulatory
21 agencies, are the 8,000 pound gorilla. You've got me by
22 the throat and say, "Hey, would you like to cooperate?"
23 Thank you very much.

24 MR. BODOVITZ: Thank you, Mr. Rogers,
25 Kenneth Groefsema, Bill Koster, Jeff Bryant.

Page 58

Page 60

1 MR. GROEFSEMA: My name is Kenneth
2 Groefsema, I been around this Valley since 1949. We
3 acquired the first land in 1954 in the Panoche Water
4 District, so a farmer, land owner, family farm. I've
5 never been a pessimist, I've always been an optimist,
6 but what's happened in this west side water issue in the
7 past eight years is just sickening and it has sickened
8 my heart. Especially today after four years of CALFED,
9 Fish and Wildlife, Fish and Game, and all the other
10 bureaucracies, Department of Interior, have been a
11 tremendous disappointment.

12 Just referring to Jean Sagouspe's charts over
13 here, I've lived this stuff. I know it and it's a fact.
14 So don't dispute it, don't try to pick it apart. Use it
15 for a fact and let's get some results and let's stand
16 up, and I challenge CALFED to be the leader for the
17 State of California for California agriculture's water
18 and water rights. So let's get something done and let's
19 just not talk about it. You guys need to stand up and
20 represent California agriculture and California water
21 users in the country, so that's probably the best part
22 of my message. Thank you.

23 MR. BODOVITZ: Thank you, sir. Bill
24 Koster, Jeff Bryant, Steve Chedester.

25 MR. KOSTER: Hi. I'm Bill Koster, I am a

1 CVP water user in the Tracy area, fourth generation
2 farmer. I would like to thank you for attending here --
3 or having a meeting here in Los Banos. I think it's
4 very important that you get this side's perspective.

5 I was at a Stockton meeting and they kind of got a
6 different twist over there, but I think the message is
7 clear. Storage, I've heard this said over and over
8 again and that's one of my messages, too. Friant,
9 Shasta, Auburn Dam are all very important.

10 Got to be careful about ground water storage,
11 especially we've had that East Bay MUD trying to put an
12 injection system up there. You got to be careful in
13 what you put in the ground, because once you put that in
14 the ground and you contaminate your ground water down
15 there, there's no cleaning it up very easily, more so
16 like surface water. So I just hope that storage sticks
17 in your mind. I would like to ask that maybe CALFED
18 would be the catalyst or the vehicle you might say to
19 help agriculture with possibly some of its drainage
20 problems, be the financial vehicle to help us install
21 return systems out here (indicating). That's one of the
22 main problems. The bad names are in agriculture, all
23 this drainage that's hit the San Joaquin River. Well,
24 it takes a good amount of money to get these return
25 systems, the drip, micros, et cetera, and maybe CALFED

1 could be that financial tool to help us use water more
2 efficiently. That's all I have to say, thank you.

3 MR. BODOVITZ: Thank you, Mr. Koster.
4 Jeff Bryant, Steve Chedester, Chris White.

5 MR. BRYANT: Hi. My name is Jeff Bryant,
6 I am the General Manager of the Firebaugh Canal Water
7 District. The Firebaugh Canal Water District consists
8 of 22,000 acres of arable land located in the Firebaugh
9 Mendota area. All of the acreage is west of the
10 San Joaquin River. The District has pre-1914 water
11 rights from the San Joaquin River, has been irrigating
12 these lands since the late 1800s from either the
13 San Joaquin River or through the fragile Sacramento/San
14 Joaquin Delta via the Tracy Pumping Plant.

15 The District is part of the 90,000 acre Grasslands
16 subarea. This subarea is described as a drainage
17 impacted area in the Rainbow Report. The Firebaugh
18 Canal Water District and six other water irrigation and
19 drainage districts make up the Grasslands Area drainage.
20 These drainers have rerouted ag drain water from the
21 wetlands and are now using the San Luis drain. Each of
22 the participants have agreed to monthly and annual
23 selenium low targets. These low targets are now being
24 achieved through source control and institutional
25 changes. Each of these districts has accomplished their

Page 61

1 goals this year and all costs are being borne by the
2 farmers.

3 In Section 7 titled Selenium of the CALFED Revised
4 Water Quality Program dated January 1999, surface and
5 subsurface ag drain waters are mentioned as the major
6 source in the lower San Joaquin River basin. The
7 long-term solution to this problem is (inaudible). This
8 cannot be done in the short-term. Source control reuse
9 are already being implemented. Current technology for
10 reverse osmosis and cogeneration is expensive.

11 Integrated farm management can be expanded immediately.
12 Treatment of ag drainage can be achieved in this
13 subarea. I am pleased to see the progress of the water
14 bond, however if at all possible could we please cut the
15 red tape and streamline the funding process and help us
16 keep this highly productive farmland and its farmers in
17 business. Thank you.

18 MR. BODOVITZ: Thank you, Mr. Bryant.
19 Steve Chedester, Chris White, and Michael Sexton.

20 MR. CHEDESTER: Good evening. I am Steve
21 Chedester with the San Joaquin River Exchange
22 Contractors Water Authority. We're about 240,000 acres
23 primarily on the west side of the San Joaquin Valley,
24 one of them which was Mr. Bryant is one of the members.
25 We want to thank you tonight for coming and talking --

Page 62

1 and allowing us to talk to you and get the public input
2 into your process. We are going to only comment on a
3 couple issues based on the time limits and we will
4 submit to you written comments.

5 First what I want to talk about is diversion fees.
6 That is in your document and we would like to mention
7 the exchange contractors are definitely opposed
8 unequivocally to any diversion fees that you may try to
9 impose. Also you need to define what the CALFED
10 criteria is for the beneficiary pays and the beneficiary
11 analysis. And you've got 5.1 billion dollars here
12 proposed in your stage one process and you talk about
13 mainly diversion fees, but by whom? Who is going to pay
14 those?

15 The Central Valley feeds the state and this
16 nation. For the most part they're small family-owned
17 farms, they're not the large corporate giants that the
18 media or environmentalists try to portray us. If you
19 want to tax the true beneficiaries of California
20 agriculture, and let's call it a tax and let's put it
21 before the voters and let them decide if they want to be
22 assessed and charged to fix the Bay Delta.

23 Next are water transfers. You have quite a bit of
24 discussion on water transfers in one of your program
25 elements, but one thing that you didn't discuss in your

Page 63

1 CALFED document is the concept of another bureaucracy,
2 for lack of a better word, and that is this Water
3 Transfer Clearinghouse. There is local districts, there
4 is local boards of directors, there is a CEQA process.
5 Why you need another government bureaucracy trying to
6 analyze and put their input into water transfers --
7 especially in your video that you had, you wanted to
8 make them adaptive management, if I remember that
9 correctly, and want to make it quick. It takes a lot of
10 time to get a water transfer through and I cannot see
11 another government agency helping that at all.

12 Also, underneath the California clearinghouse
13 concept, even a statement issued this year only approved
14 a one-year study of the concept of a water transfer
15 clearinghouse. You seem to have jumped the gun and
16 incorporated that into your water transfer element as a
17 cornerstone and I believe that's completely
18 inappropriate. Thank you.

19 MR. BODOVITZ: Thank you, Mr. Chedester.
20 Chris White, Michael Sexton, Martin Miller.

21 MR. WHITE: Hello, and thank you. I am
22 Chris White, the General Manager for Central California
23 Irrigation District. We're one of the member agencies
24 under the San Joaquin River Exchange Contractors Water
25 Board, and my comments are going to be centered around

Page 64

1 two items. I want to tell you who we are because we
2 kind of wonder whether you guys really know what the
3 Central Valley farmer is and why you want to put us out
4 of business. The second thing is, you talk about the
5 plumbing situation and what needs to be fixed.

6 CCID and exchange contractors have a long history
7 of farming this area. We've began diverting water from
8 the San Joaquin River in the 1800s. We're family-owned
9 farms primarily. The average farm size in the exchange
10 contract or CCID is 100 acres. That's 150,000 acres
11 within CCID at 100 acres a grower. Fairly small,
12 family-owned farms. We're a conjunctive use district.
13 We very efficiently use our surface water and ground
14 water supplies to grow crops in this area. The
15 contribution of the exchange contractors service area
16 economically to this area is to the tune of about 400
17 million dollars annually. We're not talking about small
18 dollars here, it's a major contribution. What makes
19 that work is a viable, reliable, good water supply.
20 That's very necessary to this area, and all you have to
21 do is look at some of these charts and see that a zero
22 percent supply for some of our neighbors is not a
23 reliable supply.

24 And what happens if you remove surface water from
25 the equation? It has a ripple effect through the whole

Page 65

Page 67

1 community, economically in the cities of Mendota,
2 Dos Palos, Los Banos, Gustine, Newman, Crows Landing.
3 As you go further north as surface water is removed,
4 there is a ripple effect. Not only in the economics of
5 these communities, but where conjunctive use, all of
6 these communities with the exception of Dos Palos rely
7 on ground water as their supply. As the ag community
8 begins to lean more heavily on those supplies, it
9 impacts the whole area. It puts the whole water supply
10 picture in jeopardy, not just for the growers.

11 Regards to the storage, we calculated 7 million
12 dollars for surface water storage divided by a 5.1
13 million overall budget for the program. That's about
14 one percent. It's our experience that two experienced
15 modelers in their garage could spend 70 million dollars
16 over the length of this program. It's not a lot of
17 money.

18 Finally what I would like to say is it doesn't
19 take a lot of common sense to understand. We've got a
20 set of -- we have a facility in place or set of plumbing
21 in place that in its inception was designed with certain
22 elements in it, the Cross-Delta facility and The Drain
23 with a capital T and capital D. We just need to
24 complete the system. Thank you very much.

25 MR. BODOVITZ: Thank you, Mr. White.

Page 66

1 Michael Sexton, Martin Miller and Mickey Kenneson.

2 MR. SEXTON: Michael Sexton, I am the
3 attorney for the exchange contractors. Sometimes they
4 listen to me, oftentimes they don't.

5 Lester, when we were talking during the question
6 period, we talked a little bit about what I view as
7 inconsistency between the water transfer element and
8 your water use efficiency element. You remember when
9 you were a kid, would you ever loan a toy to your little
10 sister? I never would, and the reason I wouldn't
11 because I would never get it back, at least not in one
12 piece.

13 So let's look at the concept of water rights. If
14 you want water transfers to work, even slightly, you've
15 got to make sure that the senior water right holders
16 have absolute, crystal clear, assurance that they can
17 depend on their water. What it looks like you are doing
18 is acknowledging protection of existing water rights,
19 and then taking away a significant element of that
20 ownership which is the right to transfer water. And the
21 way you're doing that is through this across-the-board
22 application of what you term to be this no-injury rule.

23 The no-injury rule is absolutely a misnomer. It
24 just is whitewash, I guess, for a determination that a
25 water right owner has an absolute duty to conserve

1 water, no matter what the cost, and then doesn't have
2 the ability to recapture the cost. It makes no sense
3 whatsoever. You've heard some folks talking about
4 conjunctive use and management of surface and ground
5 water supplies. That can happen in a conjunctive use
6 district, but it's not going to happen in a district
7 that uses surface and ground water supplies if there's
8 an expectation that they're going to put infrastructure
9 in place in an effort to conserve water and then not be
10 able to transfer it because of a new bureaucracy, a
11 clearinghouse, legislation which is mentioned in your
12 water transfer element. Please be very, very careful
13 with how you handle this. Thank you.

14 MR. BODOVITZ: Thank you, Mr. Sexton.

15 Martin Miller, Mickey Kenneson, and Jack Fry.

16 MR. MILLER: Thank you. My name is
17 Martin Miller, Homestead Farms, Gustine. I speak on
18 behalf of myself, my family, and my extended family, my
19 two aunts. We are all -- and some of my neighbors, too,
20 I guess. We're all small landowners and we very much
21 appreciate having the opportunity to come down here and
22 hammer on you. We get very, very frustrated when you
23 read in our ag newspapers that agriculture is getting
24 the short end, and we get really worried. Our family's
25 been farming in the area since 1873, my great

Page 68

1 grandfather helped build some of the canals. My father
2 helped develop some of the first water districts, the
3 Del Puerto Water District, served on their boards as did
4 I also on the Mustang Water District.

5 The video was wonderful, I wish I could believe
6 it. I am extremely suspicious. My experience in the
7 past has been that everything goes fine until the big
8 government comes along and wants its way. During the
9 period of time that I was on the board of the Mustang
10 Water District, we watched the U.S. government
11 unilaterally raise prices on the water to unbearable
12 levels, and we had nothing to say about it. We had to
13 just take it.

14 As far as firm water supplies, every year we
15 absolutely go nuts trying to figure out what to plant
16 and when. I'm talking about myself and my grower
17 tenants. By the time the water supply is firm, it's
18 long past the time to plan for it or it's about time to
19 plant it. You need to start six months earlier.

20 Farmers are around two percent of the population.
21 I don't see our number's going to increase dramatically
22 over the next while, but believe me, the urban element
23 is and you need to structure your system so that we'll
24 discourage or curtail urban demand. Years ago as I was
25 visiting my Danish aunt she asked me, "Oh, does the

Page 69

Page 71

1 Santa Clara Valley still bloom with the vegetables and
2 tree fruits that were there when I came?" And I had not
3 the heart to tell her that it was covered by houses and
4 blacktop. Please don't kill the golden goose,
5 California agriculture. Thank you.

6 MR. BODOVITZ: Thank you, Mr. Miller.
7 Mickey Kenneson, Jack Fry, D.A. Tuma.

8 MR. KENNESON: Thank you, and good
9 evening. My name is Mickey Kenneson and I farm a
10 variety of crops near Kerman, about 20 miles west of
11 Fresno. After listening for three hours at the San Jose
12 hearing last week, I felt compelled to offer a few
13 comments. After listening to participants in San Jose,
14 there seems to be a mistaken impression the CALFED
15 document is proposing 12 new storage facilities. I find
16 -- I can't find any mention of that in the document.
17 All I see is more studies, and will we address this in
18 seven to ten years. The bottom line is that there will
19 never be enough water in California unless we address
20 the issues on all fronts, including starting now, the
21 long drawn-out process of getting new storage facilities
22 from the idea stage to completion. To do this, it takes
23 time. The Central Valley Project was started -- was
24 part of a master plan laid out in 1931. In 1933 it was
25 voted on by the state, and it has not yet been

1 MR. BODOVITZ: Thank you. Jack Fry, D.A.

2 Tuma, Al Brizard.

3 MR. FRY: Thank you for the privilege of
4 speaking. My name is Jack Fry, I am Director of
5 Chowchilla Red Top Conservation District. I am Vice
6 President of the Chowchilla Ground Water Management
7 Plan. I serve on the Sierra Watershed Committee. I am
8 involved with the Oakhurst sewage problem. We're
9 concerned about Eastman Reservoir and Hatchley
10 reservoir, and the reason I go through that long list is
11 that they are all within the Chowchilla Red Top
12 Conservation District.

13 Our district runs from the San Joaquin River in
14 the Valley to Highway 49 in the Oakhurst and Ahwahnee
15 area, and so with that association puts us in most of
16 the watershed of the north side of the San Joaquin
17 River. So we are concerned with water quality, ground
18 water. We are an overdraft area. It is Madera County,
19 we are east side and a little west side. So we are
20 concerned with all of those problems. We do not see
21 much help from the CALFED process, we see only loss of
22 water, higher costs.

23 We feel -- I agree with most of the previous
24 speakers. The only place we're going to get the extra
25 water to replace the 800,000 acre feet of water that

Page 70

Page 72

1 completed.

2 Another topic that was continuously brought up by
3 the speakers in San Jose was the wastefulness of
4 agriculture. Where I farm, water costs money, and I
5 don't like to waste money. Whether I pump from the
6 underground or get surface water from the irrigation
7 district, it still costs. Irrigation conservation
8 measures are expensive, and some conservation measures
9 may be great for some crops, but ineffective and
10 inoperative for others.

11 As an idea, perhaps tax credits could be offered
12 for the installation of more effective conservation
13 efforts by agriculture, such as drip, micro sprinklers,
14 where projects like this could be written off in one
15 year rather than in a ten-year depreciation. This may
16 get some farmers started in these conservation projects.

17 Also remember that farmers are price-takers and
18 not price-makers. A speaker in San Jose offered to pay
19 more for his food and fiber if he knew it was grown
20 using every conservation method available. I don't know
21 how much money he makes or how much food he eats, but I
22 would bet he is definitely in a minority. Thank you for
23 your time, and I would like CALFED to provide a solution
24 for all California, not just a few special interests.
25 Thank you.

1 we're losing and the environmental uses, plus
2 guaranteeing the Westlands area a reasonable supply of
3 water -- that chart is shocking. If it doesn't shock
4 you, it certainly shocks the rest of us because it's
5 their livelihood.

6 We think that down the road if we do not cover
7 those needs, the exchange contractors are going to be in
8 court and they can effectively destroy the Central
9 Valley Project if they chose to do so. I don't think
10 they want to do that, I know they don't, but it could
11 happen. The cost of water today precludes ground water
12 recharge. We're overdraft, as I've said. It's pretty
13 serious. Some of the water in our area is as close as
14 40 feet above sea level. Some people have run into salt
15 not a whole lot deeper than that, and that is bad news.

16 Mr. Garamendi promised that the San Joaquin River
17 would be left alone, and I think everybody here is
18 pretty well assured that he didn't know what he was
19 talking about or was maybe even stretching the truth a
20 tad because they certainly aren't keeping their hands
21 off the San Joaquin River.

22 Out-of-district transfers, our area and our
23 district is very much opposed to out-of-district
24 transfers. Inner district I can see a great benefit to
25 that, but we see out-of-district as highest bidder going

Page 73

Page 75

1 somewhere else in a hurry because farmers can't afford
2 that. Thank you very much.

3 MR. BODOVITZ: Thank you, Mr. Fry. D.A.
4 Tuma, Al Brizard, Chris Campbell.

5 MR. TUMA: My name is D.A. Tuma, I am the
6 Libertarian party candidate for Congressional District
7 3. You might think Congressional District 3 as being
8 Vic Fazio's old district, it's quite a ways from here,
9 but I actually used to work down in this area in a place
10 called Kesterson for about five years and I came here in
11 '89 and I was told to provide technical oversight on the
12 research there to figure out the selenium problem. I
13 found out what the problem was, we had a government full
14 of liars, and it pissed me off. But what am I going to
15 do about it? Who am I going to blow the whistle to?
16 The whole damn government has been taken over by
17 environmental fascists, I kid you not. This is
18 Communism. You look at who's got the property in the
19 past, who's got it now. Well, they want an
20 environmental water camp. They aren't going to tell you
21 how they're going to do it. It's just their decision,
22 it's not yours.

23 MR. BODOVITZ: Thank you. Al Brizard,
24 Chris Campbell, Rene Forbes, and Pam Shaw. Those are
25 the last cards I have. If anyone else wishes to speak,

1 as controlling ag and the hungry large developer that
2 gobbles up the idyllic landscape that these same
3 environmentalists enjoy will in fact become real. It is
4 my smaller neighbors I am concerned about. They are not
5 able to survive the long period of the artificial
6 droughts that you will create. Thank you.

7 MR. BODOVITZ: Thank you, Mr. Brizard.
8 Chris Campbell, Rene Forbes, and Pam Shaw.

9 MR. CAMPBELL: Good evening. My name is
10 Chris Campbell, I am an attorney at Baker, Manoch, and
11 Jensen in Fresno. I speaking to you on behalf of the
12 Fresno Chamber of Commerce. I am Chair of the Water
13 Resources Committee of the Chamber. Also the Chamber
14 has gotten together with others in the community to form
15 something called the Growth Alternatives Alliance.

16 Rather than critiquing elements of the EIR, we'll
17 do that in writing, I wanted to tell the story of at
18 least here the urban folks and the agricultural folks
19 are trying to work together. The Farm Bureau, Chamber
20 of Commerce, Business Council, and the Building Industry
21 Association got together to form the Growth Alternatives
22 Alliance with the help of the American Farmland Trust
23 because there was a recognition that agriculture is the
24 most important industry in this area.

25 We can't fight between urban and agriculture

Page 74

Page 76

1 please fill out one of the cards. Otherwise, with
2 Ms. Shaw we will conclude our speakers. So Mr. Brizard?

3 MR. BRIZARD: Good evening. I am Al
4 Brizard from Patterson, just up the road. At an earlier
5 meeting of this panel, a farm worker union
6 representative, Mrs. Guzman, detailed the negative
7 impacts this program will have on the small towns up and
8 down the Valley from Biggs to Buttonwillow. There is
9 another segment that will suffer similar impacts that I
10 would like to point out. That's the small farmer.

11 It is inconceivable to me that you are willing to
12 try new, untried things such as water transfers, water
13 conservation measures without having adequate water in
14 the first place. Shouldn't you try those experiments
15 knowing that you have enough water in case it don't
16 work? That's the problem, and that's going to break the
17 small farmer. He will be the first to suffer. Unless
18 you get additional storage and more water first in the
19 system, then try these experiments.

20 By the time it becomes clear to everyone that
21 there is not enough water captured and stored each year,
22 we will be out of business. The banks will buy our
23 business through foreclosure, our larger next-door
24 neighbors, or the developers. The hated corporate
25 farming giant that the environmental leaders depict now

1 because we rely on each other, and there's going to be
2 another 12 million people perhaps in the Central Valley
3 during the time that are projected for the CALFED
4 studies, and we have to address those people's needs.
5 Clearly, they're going to need land to sit on and
6 they're going to need water, and we want to do that in a
7 way that doesn't take the water from agriculture and
8 doesn't take land from agriculture to the extent
9 possible.

10 So we put together these planning principles that
11 the Chamber, the Building Industry Association and the
12 Farm Bureau have agreed upon, and we're basically trying
13 to sell that to our local City Councils and Boards of
14 Supervisors. But the key element is that here in the
15 Central Valley, agriculture is the key industry. We're
16 going to have a tremendous urban influx as a number of
17 people have said. Not just in California as a whole,
18 but here where agriculture is so involved, and we can't
19 afford not to have those reliable supplies of water that
20 agriculture relies on.

21 So otherwise, houses require more reliable
22 supplies. They can't afford any of the fluctuation that
23 agriculture can actually tolerate; but if we don't have
24 the reliable supplies, that means more agriculture is
25 going to go out of production than necessary. And

Page 77

Page 79

1 because that influx of people is projected at such huge
2 numbers over the next ten years, that makes it just
3 increasingly important that we address the agricultural
4 water needs of this area so that we don't end up in a
5 train wreck here. Thank you very much.
6 MR. BODOVITZ: Thank you, Mr. Campbell.
7 Rene Forbes, Pam Shaw.
8 MS. FORBES: Hello. My name is Rene
9 Forbes, an almond farmer in the Westlands Water District
10 in Fresno County. I feel CALFED direction for a water
11 highest value is urban use based upon economic studies
12 CALFED is using, I feel CALFED economic studies are
13 inadequately assessing the importance of agriculture
14 value. Water highest value is agricultural use.
15 Almonds that I grow are just one example of the economic
16 importance that making agriculture highest use. Almonds
17 are only one -- are only grown in one state of the
18 United States, and that's 50 states and that's
19 California. Almonds are also in the top five
20 agricultural crops grown in California, but 70 percent
21 of that production is exported. This is important not
22 just to California economics, but the whole United
23 States. America imports a lot and agricultural exports
24 are critical to the economics of the whole nation.
25 I ask you to look at the true economics of

1 almonds to export. You need to really think about
2 making new water supplies available as far as building
3 dams. I don't think that's a bad word either, and
4 that's about all I have to say. Thank you.
5 MR. BODOVITZ: Thank you, Ms. Shaw.
6 Marcia Sablan. If no one else wishes to speak,
7 Ms. Sablan gets the last word.
8 MS. SABLAN: Thank you, good evening. I
9 am Marcia Sablan, the Mayor of the City of Firebaugh and
10 a member of the CALFED Advisory Committee. I would like
11 to speak on two points tonight, the first one being the
12 economy of our town and I think the town of Firebaugh,
13 about 45 miles from here of 6,500 people represents most
14 of the agricultural towns of the west side.
15 As you can imagine, our economy depends strictly
16 upon agriculture, and as we hope to stabilize our
17 economy and improve our economy, what we're looking for
18 is production of value added agricultural crops. It
19 will always be based on agriculture, no matter what we
20 do. We need a stable water supply to support our
21 economy and to support our citizens.
22 The last -- the fact that I would like to add to
23 this is that if we look at the environmental damage that
24 the water supply has caused in the State of California,
25 we're looking at things that happened in a different

Page 78

Page 80

1 agriculture grown in California. Export value and
2 necessities -- is necessary and is of public record.
3 Please relook at the high value, economic value of water
4 used in agriculture. We need reliable water at
5 affordable prices. Thank you.
6 MR. BODOVITZ: Thank you, Ms. Forbes.
7 Pam Shaw and Marcia Sablan.
8 MS. SHAW: My name is Pam Shaw and I am a
9 field representative for Ryan Parreira Almond Company.
10 I didn't come here tonight to talk, but I am very
11 disappointed that there weren't more people in the
12 industry as far as the ag besides farmers being here.
13 This not only affects the farmers, it affects the
14 processors. You've got Tri-Valley Grower, Morning Star
15 in the immediate area. You've got Del Monte Foods,
16 Dole, Calcott, Sun Maid with the raisins. This doesn't
17 just affect a small area, it also affects those
18 employees of all those facilities. Those aren't all
19 minimum wage earner jobs. Our company employs well over
20 100 individuals and that's year-round, it's not
21 seasonal. And that's a big impact to the Los Banos
22 community as far as the Ryan-Parreira Company goes.
23 It doesn't just affect what's going to happen on a
24 small scale, it's a big scale. You've got the shipping
25 industry that's going to be affected if there's no

1 time, when people weren't as aware of the environmental
2 damages that the dams caused, that the damming of rivers
3 caused. I have more faith in our scientific community
4 and our engineer community now to be able to do things
5 in a way in which all of us will be aware of the
6 environment and the ecology as these new water supply
7 sources are produced. Thank you.
8 MR. BODOVITZ: Thank you, Mayor Sablan.
9 And thank you all, this has been an excellent hearing.
10 We appreciate your coming and your eloquent statements
11 tonight. The hearing is adjourned.
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1
2 State of California)
3) ss.
4 County of Stanislaus)
5
6 I, DANA L. BELLOLI, a Certified Shorthand
7 Reporter of the State of California, do hereby certify
8 that said proceedings were taken at the time and place
9 mentioned on the first page hereof, to wit:
10 Merced County Spring Fair
11 Germino Building
12 403 F Street
13 Los Banos, California
14 on September 13, 1999.
15
16 That said proceedings were taken in shorthand
17 by myself, a Certified Shorthand Reporter, and under my
18 direction transcribed into the foregoing typewritten
19 transcript.
20 In Witness Whereof, I have hereunto set my
21 hand and affixed my signature at my office in Turlock,
22 California, this 17th day of September, 1999.
23
24 Dana Belloli, CSR #7186
25